

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF OREGON
PORTLAND DIVISION**

**NADIA ROBERTS,
an individual,**

PLAINTIFF,

v.

**RANDY L L CORPORATION,
a limited liability company,**

DEFENDANT.

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Case No. 3:24-CV-00523

**THIRD AMENDED
DECLARATION OF NADIA ROBERTS
SUPPORTING RESPONSE TO MOTION
FOR SUMMARY JUDGMENT.**

I declare, under penalty of perjury, that the following is true:

1. My name is Nadia Roberts, the plaintiff in the above captioned cause, and I am over the age of eighteen (18) years old.
2. I am a resident of Portland, Oregon.
3. I am a disabled individual as defined by the ADA, and I use a wheelchair for mobility purposes.
4. Beginning on or about August 7, 2024, I was becoming overwhelmed by the media reports of ADA cases such as this one. I was also experiencing medical and family issues. As a result, I was not in contact with my attorney.
5. On or about January of 2024, I visited a Mobil Gas Station located at 5322 Southeast 82nd Ave., Portland, OR 97266 (the “subject property”).
6. I live within thirty (30) miles of the subject property.

7. I was denied equal access to the subject property and/or full and equal enjoyment of the goods, services, facilities, privileges, advantages and/or accommodations offered therein based on barriers to entry that were/are present.
8. During the January 2024 visit, I encountered numerous barriers to entry as defined by the ADA at the subject property.
9. The pictures taken by me at the January 2024 visit that are attached to this declaration accurately depict the condition of the parking lot at the subject property in January of 2024. (“Exhibits 1-3”)
10. I believe there to be additional barriers to entry present at the subject property.
11. Based on the defendant’s disregard for ADA compliance at the property, I do not believe that Defendant had or has any maintenance policies in place to ensure the property is kept compliant.
12. This is one of the more ADA non-compliant compliant properties I have been to.
13. The barriers to entry made it difficult or dangerous for me to exit my vehicle and patronize the business located on the subject property.
14. I was forced to double-park my vehicle in two (2) unlevel, standard parking spaces to unload my wheelchair from my vehicle.
15. Then, I had to traverse unlevel ground, through multiple vehicular ways, to approach the only ramp leading to the entrance of the business.
16. The absence of any accessible parking spaces or access aisles made it difficult for me to park my vehicle, unload my wheelchair, and exit my vehicle, as other vehicles were obstructing the loading area outside of my vehicle.

17. Further since there were no access aisles or designated accessible spaces located on the property, a vehicle was parked in front of the only ramp leading into the business, making it extremely difficult for me to maneuver my way into the business.
18. I filed this complaint to require Defendant to get into compliance with the ADA, so myself and similarly situated others would not have such difficulty patronizing this business in the future.
19. For this case, or any other ADA accessibility cases I have been a part of, I have not received any portion of any attorney fee, any living assistance, or any other improper compensation for my involvement in this case and others.
20. I have been reimbursed for expenses I have incurred and will incur associated with the prosecution of this case. I agreed that \$200.00 was a reasonable and accurate amount to cover 1) gas mileage/vehicle expenses for multiple trips to and from the property, 2) purchases at the property each time I visit, and 3) other travel related expenses associated with this case. I have not received any other payment from my counsel or anyone else for my work in this case or for any other reason.
21. I have felt discriminated against by the defendant in this case, as well as others in the Portland area, by its complete lack of regard for providing accessible accommodations to wheelchair users and the disabled community as a whole.

Dated this November 14, 2024.

/s/ Nadia Roberts
Nadia Roberts, Plaintiff

CERTIFICATE OF SERVICE

In addition to e-service, I have sent the foregoing Declaration to the following:

Theodore Roe
tedr@veritasbusinesslaw.com

Dated this November 14, 2024

/s/ Jessica Molligan
Jessica Molligan



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